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EXAMINER	
CERULLO, LILIANA P	
ART UNIT	PAPER NUMBER
2629	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/566,186	ERFORT ET AL.	
	Examiner	Art Unit	
	LILIANA CERULLO	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 January 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *14-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *14-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 January 2006* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/26/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawing is objected to because it does not explicitly call out the different components, making it confusing to understand what are the numerals referring to. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14-27 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

For example, claim 14 line 4 and 5 recite: "… on at least one additional display device takes place in at least one of a chronologically coordinated manner and a spatially coordinated manner". The examiner interpreted the italic word "and" to be an "or" for the purpose of examination.

Also, the fifth paragraph of claim 14 recites "as a result of the *control by the display computer device*". The term "control by the display computer device" lacks antecedent basis in the claim, as the only controls referred to prior to this limitation, are the "control command" and the "control information". For the purpose of examination the examiner interpreted the limitation to recite "as a result of the control *command sent to* the display computer device".

In addition, the term "and/or" is used throughout the claims. The term "and/or" does not clearly indicate the limitation intended; because the limitations using this term seem to be in the alternative, the examiner interpreted the term "and/or" to mean "or" in

all instances, except for the following limitation in claim 20 where the use of the term "and/or" in the limitation "…and/or that a second control command…" is interpreted as an "and" to provide antecedent basis for claims 21-23.

Furthermore, the term "relevant display device" in claims 25 and 26 lacks antecedent basis in the claims. For the purpose of examination, the examiner interpreted the limitation to read "a display device".

Appropriate correction is required.

The dependent claims inherent the same issues of the parent claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 14-20 and 23-27** are rejected under 35 U.S.C. 102(b) as being anticipated by DiFranza et al. in US 6,073,727 (hereinafter DiFranza).

4. Regarding **claim 14**, DiFranza teaches a method for the visualization of digital display elements (col. 1 lines 27-32, video information) on a plurality of display devices (Fig. 1, display units 10), wherein the visualization of display elements (video information) on a first display device and the visualization of display elements on at least one additional display device takes place in a chronologically coordinated manner

(col. 5 lines 18-30 where different buildings display the same advertisement at different times according to a playlist set by the production center), with the coordination of the display elements concerning the chronologically coordinated visualization of the display elements (col. 5 lines 1-30 where the advertisement needs to be appear in the morning prime time) and with the display elements (video information, e.g. advertisement) being connected to one another (col. 5 lines 18-24, where general information and advertisement connected by a playlist), characterized in that:

providing a plurality of display computer devices (Fig. 1, display units 10 which include a single board computer 34 of Fig. 3), and a control computer device (building server 28 of Fig. 1) connected to said display computer devices (as shown in Fig. 1) wherein each display computer device (computer 34 of Fig. 3) is associated with a minimum of one display device (as shown in Fig. 3, where the display device is the display unit 10);

transmitting a minimum of one reference to a file containing the display elements (col. 5 lines 28-32, pointer in playlist) and a minimum of one control information (schedule for playlist of col. 5 lines 18-24) to the control computer device (Fig. 1 and col. 5 lines 18-24, where the playlist is generated at the production center 20, and as shown, transmitted to building server 28) in a sequence plan (playlist of col. 5 lines 18-24);

said control information (schedule for playlist of col. 5 lines 18-24) specifying the point in time of the display elements (col. 5 lines 28-32 teach that the playlist specifies when the contact will be displayed) on a display device (elevator displays of col. 5 lines 18-24);

said control computer device (Fig. 1, building server 28) analyzing said sequence plan (playlist of col. 5 lines 18-24) and generating a minimum of one control command (col. 11 lines 60-64, HTML file generated at building server 28 based on playlist from production center) from the control information (schedule for playlist of col. 5 lines 18-24);

said control computer device (Fig. 1, building server 28) transmitting the reference (content segment pointer of col. 13 lines 1-5, which are transmitted from the display assembler 22 in building server 28, to display units 10) and the control command (col. 13 lines 14-22 HTML file) to the display computer device (Fig. 1, display units 10);

transforming the display elements (col. 13 lines 22-26 where the data is translated to a compliant display format) from a file containing the display element (col. 13 lines 30-46, data file stored at the server cache), which display elements are available in digital form (required to store data in a cache memory, also see abstract), as a result of the control *command* (col. 13 lines 18-22, HTML file retrieved from building server) *sent to the* display computer device (Fig. 1, display units 10) into signals (voltage value signals are required for displaying images in TFT flat panel displays 13 of Fig. 3) in a graphic card format (required for display of video in a TFT flat panel display) in order to display the display element (information or advertisement in the form of image displayed in a display device) on the display device (TFT Flat panel display 13 of displays 10 of Fig. 3);

said control command (col. 11 lines 63-64, HTML file) specifying the point in time at which the display computer device (Fig. 1, display units 10) transmits a signal and the display device to which the signal is to be transmitted (col. 12 lines 52-57 explain that the HTML file uses the same format as building playlist 68, and col. 5 lines 22-33 explain that the building playlist defines what gets played, when it get played and where it gets played; therefore teaching the HTML file specifying what display will display the information and when the display computer device transmits the voltage level signal to the display device from the graphic card); and

said display computer device (Fig. 1, display units 10) serving exclusively to generate image from the digital display elements (TFT flat panel display 13 of display unit 10 exclusively generates images).

5. Regarding **claim 15**, DiFranza teaches the sequence plan to be a play list (col. 5 lines 22-23, building playlist 68) and in that a plurality of references (col. 5 lines 29-32, pointers) and control information (schedule for playlist of col. 5 lines 18-24) are compiled in said play list (col. 5 lines -36 where it is explained that the pointers and schedule are embedded in the playlist) and that said play list and control information (schedule for playlist of col. 5 lines 18-24) are transmitted to the control computer device (Fig. 1 and col. 5 lines 18-24, where the playlist is generated at the production center 20, and as shown, transmitted to building server 28).

6. Regarding **claim 16**, DiFranza teaches the playlist (building playlist 68) to be analyzed by the control computer device (building server 28), with control commands (col. 11 lines 63-64, HTML file) being generated for the display of the display elements compiled in said play list (col. 11 lines 60-64, display content is used to generate the HTML file at building server 28, based on playlist from production center).

7. Regarding **claim 17**, DiFranza teaches the display computer device (Fig. 1, display units 10) and the control computer device (Fig. 1, building server 28) are integrated into a network.

8. Regarding **claim 18**, DiFranza teaches the same display elements (col. 1 lines 27-32, video information) are transmitted to a minimum of two display computer devices (Fig. 1, building server 28 is in connection with multiple computer devices 10, and col. 5 lines 23-28 gives an example of transmission of content on two different displays).

9. Regarding **claim 19**, DiFranza teaches the control command (col. 11 lines 60-64, HTML file generated at building server 28 based on playlist from production center) is transmitted close to the time of the desired display of the display element to the display computer device (col. 13 lines 18-29 where the HTML file is retrieved and processed for broadcasting, therefore teaching the control command sent to the display device 10, only for broadcasting, as such, close to the time of the desired display) to the display computer device (4).

10. Regarding **claim 20**, DiFranza teaches a first control command (HTML file including schedule and file) causes a file containing a display element to be loaded on the display computer device (col. 6 lines 1-6) and a second control command (same HTML file including schedule and file) causes the signal to be displayed on the display device (as explained in col. 13 lines 18-29 where it is explained that the information is broadcast according to the HTML file).

11. Regarding **claim 23**, DiFranza teaches a plurality of display computer devices (Fig. 1, displays 10 of one building 14) are synchronized to a reference point in time (col. 5 lines 18-31 explains a playlist for a building elevator displays for every instant of the day, thus teaching all displays in a building using the same playlist, therefore all synchronized to a reference point in time) and that a second control command (HTML file including schedule and file) causes the signal to be transmitted at a predetermined time (col. 5 lines 24-31).

12. Regarding **claim 24**, DiFranza teaches the period of time between the beginning and the end of the display element on the display device is automatically detected (col. 5 lines 18-33 where the playlist determines the timeslots for advertisement).

13. Regarding **claim 25**, DiFranza teaches that during the display of the display element on a display device (broadcasting of a signal), a control signal is transmitted to the control computer device (building server 28 of Fig. 1, col. 17 lines 17-29 where it is

explained that there are two messages to be shown at the AM segment but only one period to be shown during the PM segment, therefore teaching the building sever 28 which includes parser 222, to transmit a control signal to the display device for broadcasting, and also teaching that during all day there is a signal being displayed).

14. Regarding **claim 26**, DiFranza teaches the point in time at which the display element is displayed on a display device is controlled by the control computer device (col. 5 lines 18-33 where the playlist determines when the advertisement is displayed).

15. Regarding **claim 27**, DiFranza teaches a system (Fig. 1) for carrying out a method according to claim 14 (as explained for claim 14 above), characterized in that a plurality of display computer devices (Fig. 1, display units 10), and a control computer device (building server 28) that is connected to the display computer devices are provided (as shown in Fig. 1), and that each display computer device is associated with a minimum of one display device (Fig. 3, display unit 10 includes a TFT flat panel display 13).

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

17. **Claims 21 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFranza et al. in US 6,073,727 in view of Amo et al. in US 2002/0007987 (hereinafter Amo).

18. Regarding **claim 21**, DiFranza does not teach control commands to be transmitted so as to be staggered. However, Amo teaches a first control command and a second control command (Amo, Fig. 7 and para. 38, where the first and second control command is the display of advertisement) to be transmitted so as to be staggered by a period of time (Amo, para. 38 teaches that next advertisement is loaded awaiting the time when the current advertisement finish displayed, therefore teaching the command of displaying to be staggered for a period of time), with said second control command causing the signal to be displayed on the display device after a predetermined period of time has elapsed after the transmission of the second control command (Amo, para. 38, where display of the next advertisement is displayed after the period of time during which the current advertisement is displayed has elapsed).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Amo's method of loading the signal on the computer device and holding the next advertisement until the current one has finished displaying in order to obtain the benefit of seamless change of information and advertising (as taught by Amo in para. 38).

19. Regarding **claim 22**, DiFranza teaches the first and second control command transmitted simultaneously (where first and second control commands are the HTML file), but DiFranza does not teach a control command causing the display element to be displayed on the display device after a predetermined period of time. However, Amo teaches wherein a second control command causes the signal to be displayed on the display device after a predetermined period of time has elapsed after the transmission of the second control command (Amo, para. 38, where display of the next advertisement is displayed after the period of time during which the current advertisement is displayed has elapsed).

It would have been obvious to one of ordinary skill in the art at the time of the invention to use Amo's method of loading the signal on the computer device and holding the next advertisement until the current one has finished displaying in order to obtain the benefit of seamless change of information and advertising (as taught by Amo in para. 38).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LILIANA CERULLO whose telephone number is (571)270-5882. The examiner can normally be reached on Monday to Thursday 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LC
/Amr Awad/
Supervisory Patent Examiner, Art Unit 2629